

Attorney Docket No.: 47675-238
First Named Inventor: Isabel D.C. Markl
Filing Date: 27 October 2000
Non-final Office Action Dated: 14 October 2008
Applicants' last Response and Amendment Dated: 14 April 2009
Date of Supplemental Response and Amendment: 02 July 2009
Examiner: Jeanine Anne Goldberg

REMARKS

Claims 1, 4, 7, 8, 10-13, and 15-19 are pending.

Applicants thank the Examiner for indicating that claims 7, 8, and 10-12 are allowed.

Claims 1, 4, 13, and 15-19 remain rejected.

Telephonic Interview. The Examiner contacted Applicants' attorney by telephone proposing particular language in view of facilitating movement of the case to allowance. Applicant's attorney provided counter proposal language. Because of difficulties coordinating a telephone call to complete the discussion, and in the interest of facilitating agreement on the claim language, the Examiner suggested that Applicants file this Supplementary Response, with their counter proposal language, and that the Examiner would follow-up to attempt to reach final agreement on the claim language.

Rejections under 35 U.S.C. § 112, ¶1

Alleged new matter:

The Examiner has rejected of claims 1 and 4 under 35 U.S.C. § 112 ¶1, based on alleged new matter in view of recitation of "one or more coordinately methylated CpG dinucleotide sequences within SEQ ID NO:36." Applicants respectfully traverse this rejection.

Applicants reassert Applicants' prior rebuttal arguments of record with respect to this rejection, and have further proposed the above indicated claim amendments to obviate this rejection.

Applicants, therefore, respectfully request that the Examiner's new matter rejection be withdrawn with respect to claims 1 and 4 as presented herein.

Attorney Docket No.: 47675-238
First Named Inventor: Isabel D.C. Markl
Filing Date: 27 October 2000
Non-final Office Action Dated: 14 October 2008
Applicants' last Response and Amendment Dated: 14 April 2009
Date of Supplemental Response and Amendment: 02 July 2009
Examiner: Jeanine Anne Goldberg

Rejections under 35 U.S.C. § 112, ¶1

Alleged lack of sufficient written description:

The Examiner has rejected of claims 1 and 4 under 35 U.S.C. § 112 ¶1, based on alleged lack of written description in view of “one or more coordinately methylated CpG dinucleotide sequences within SEQ ID NO:36.” Applicants respectfully traverse this rejection.

Applicants reassert Applicants’ prior rebuttal arguments of record with respect to this rejection, and have further proposed the above indicated claim amendments to obviate this rejection.

Applicants, therefore, respectfully request withdrawal of this *written description* rejection.

Rejections under 35 U.S.C. § 112, ¶1

Enablement:

The Examiner has maintained rejections of claims 1, 4, 13, and 15-19 under 35 U.S.C. § 112 ¶1, based on alleged lack of enablement in view of recitation of “coordinately methylated CpG dinucleotide sequences.”

Applicants reassert Applicants’ prior rebuttal arguments of record with respect to this rejection, and have further proposed the above indicated claim amendments to obviate this rejection.

Applicants, therefore, respectfully request withdrawal of this *enablement* rejection.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants respectfully request entry of the present Supplementary Response and Amendment, and allowance of all pending claims. The

Attorney Docket No.: 47675-238

First Named Inventor: Isabel D.C. Markl

Filing Date: 27 October 2000

Non-final Office Action Dated: 14 October 2008

Applicants' last Response and Amendment Dated: 14 April 2009

Date of Supplemental Response and Amendment: 02 July 2009

Examiner: Jeanine Anne Goldberg

Examiner is encouraged to phone Applicants' attorney, Barry L. Davison, to resolve any outstanding issues and expedite allowance of this application.

Davis Wright Tremaine LLP
1201 Third Avenue, Suite 2200
Seattle, Washington 98101-3045
Telephone: 206-757-8023
Facsimile: 206-757-7023

Respectfully submitted,
Isabel D.C. Markl et al.,
Davis Wright Tremaine LLP

/Barry L. Davison, Ph.D., J.D./
Barry L. Davison, Ph.D., J.D.
Attorney for Applicant
Registration No. 47,309